

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-89-0062 WBS GGH P

vs.

MICHAEL L. MONTALVO,

Movant.

ORDER

Respondent has requested an extension of time to file and serve a reply to movant's April 27, 2006 motion for relief from judgment pursuant to this court's order filed on May 5, 2006. Movant has filed a request to be allowed to file a reply within thirty days of the filing of the government's response. These requests shall be granted.

Movant has also moved for an order of release on bail during the pendency of any proceedings arising from his motion pursuant to Fed. R. Civ. P. R. 60(b). For the reasons set forth in the respondent's June 22, 2006, opposition brief to movant's request, the request for release on bail will be denied.

Accordingly, IT IS HEREBY ORDERED that:

1. Respondent's June 5, 2006, request for an extension of time is granted;

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2. Respondent is granted forty-five days from the date of this order in which to file and serve a reply to movant's April 27, 2006, motion for relief from judgment;

3. Movant's May 17, 2006, request to file a reply within thirty days of the government's response to his Rule 60(b) motion is granted;

4. Movant's June 19, 2006, motion for release during the pendency of any proceedings on his Rule 60(b) motion is denied.

DATED: 6/23/06

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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